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PG&E Letter DCL-02-117

U.S. Nuclear Regulatory Commission
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Docket No. 50-275, OL-DPR-80
Docket No. 50-323, OL-DPR-82
Diablo Canyon Units 1 and 2
Change in Licensing Basis Compliance from 10 CFR 70.24 to 10 CFR 50.68(b)

Dear Commissioners and Staff:

Amendment No. 154 to Facility Operating License No. DPR-80 and Amendment No. 154 to Facility Operating license No. DPR-82, issued September 25, 2002, for Diablo Canyon Power Plant (DCPP) Units 1 and 2, respectively, revised Technical Specification (TS) 3.7.16.1 to allow the credit for soluble boron in the spent fuel pool criticality analysis. To implement the changes approved in those license amendments, PG&E will revise the DCPP licensing basis to reflect compliance with 10 CFR 50.68(b) in lieu of 10 CFR 70.24, as modified by the exemption granted by the NRC by letter dated November 12, 1997. As required by 10 CFR 50.68(b)(8), the DCPP FSAR will be amended no later than the next update which 10 CFR 50.71(e) requires, to indicate that PG&E has chosen to comply with 10 CFR 50.68(b). These plans were discussed with the NRC during a September 18, 2002, telephone conversation.

Also, by letter DCL-02-044, "License Amendment Request 02-03, Spent Fuel Cask Handling," dated April 15, 2002, PG&E submitted a request to amend Facility Operating License Nos. DPR-80 and DPR-82 to allow handling and loading of Holtec International's multi-purpose canisters and transfer cask at DCPP. That submittal included a request for extension of the November 12, 1997, exemption to envelope the activities associated with the license amendment request. That request will be revised to request a similar exemption from the 10 CFR 50.68(b) requirements.

Sincerely,

Lawrence F. Womack

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Diablo Distribution

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